

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL JAY PHARRIS,)	
)	
Plaintiff,)	
)	
vs.)	Case no. 4:08cv0053 TCM
)	
UNKNOWN O'NEAL and)	
UNKNOWN RAYFORD,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the motion of Michael Pharris ("Plaintiff") for appointment of counsel. He explains in that motion that he has diligently sought legal representation but, because of his financial circumstances, has been unable to retain such.

In his 42 U.S.C. § 1983 complaint, Plaintiff seeks monetary and equitable relief on allegations that Defendants have been deliberately indifferent to his serious medical needs, specifically to needs arising from his epilepsy. One defendant, Unknown Rayford, has yet to be served. The other defendant, Unknown O'Neal, has moved to dismiss.

At this stage in the proceedings, the Court finds the factual allegations and legal issues are not complex. Plaintiff has cogently presented both. The Court concludes that the appointment of counsel would not be beneficial to the Court or to Plaintiff. See **Plummer v. Grimes**, 87 F.3d 1032, 1033 (8th Cir. 1996); **Swope v. Cameron**, 73 F.3d 850, 852 (8th Cir. 1996); **Rayes v. Johnson**, 969 F.2d 700, 703 (8th Cir. 1992).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for appointment of counsel is
DENIED without prejudice. [Doc. 17]

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 14th day of April, 2008.